

Connecticut Siting Council

Application Guide for an

ELECTRIC AND FUEL TRANSMISSION LINE FACILITY

February 5, 2007

This application guide is intended to assist applicants in filing for a Certificate of Environmental Compatibility and Public Need (Certificate) from the Connecticut Siting Council (Council) for the construction of an electric or fuel transmission line. Such facilities are defined in Conn. Gen. Stat. § 16-50i (a) (1) and (2).

Applicants should consult Conn. Gen. Stat. §§ 16-50g through 16-50aa and § 16a-7c, and Sections 16-50j-1 through 16-50z-4 of the Regulations of Connecticut State Agencies to assure complete compliance with the requirements of those sections. Where appropriate, statutory and regulatory references are noted below.

Pre-Application Process (Conn. Gen. Stat. § 16-50l (e))

(e) Except as provided in subsection (e) of section 16a-7c, at least sixty days prior to the filing of an application with the council, the applicant shall consult with the municipality in which the facility may be located and with any other municipality required to be served with a copy of the application under subdivision (1) of subsection (b) of this section concerning the proposed and alternative sites of the facility. For a facility described in subdivisions (1) to (4), inclusive, of subsection (a) of section 16-50i, the applicant shall submit to the Connecticut Energy Advisory Board the same information that it provides to a municipality pursuant to this subsection on the same day of the consultation with the municipality. Such consultation with the municipality shall include, but not be limited to good faith efforts to meet with the chief elected official of the municipality. At the time of the consultation, the applicant shall provide the chief elected official with any technical reports concerning the public need, the site selection process and the environmental effects of the proposed facility. The municipality may conduct public hearings and meetings as it deems necessary for it to advise the applicant of its recommendations concerning the proposed facility. Within sixty days of the initial consultation, the municipality shall issue its recommendations to the applicant. No later than fifteen days after submitting an application to the council, the applicant shall provide to the council all materials provided to the municipality and a summary of the consultations with the municipality including all recommendations issued by the municipality.

(Note: Municipalities having a boundary not more than 2,500 feet from the proposed facility are required to be served and consulted with, per Conn. Gen. Stat. § 16-50l (b).)

I. Quantity, Form, and Filing Requirements (Regs., Conn. State Agencies § 16-50j-12)

- A. Except as may be otherwise required, at the time applications are filed with the Council, there shall be furnished to the Council an original and 20 copies.
- B. All filings from the applicant, parties, or intervenors must consist of an original and 25 copies, labeled with the docket number, properly collated and paginated, and bound. These documents shall include effective dates, revision dates, or dates of adoption. If no such dates are available, the document shall include the date the document was obtained.
- C. Applications filed for the purpose of any proceeding before the Council shall be printed or typewritten on paper cut or folded to letter size, 8 1/2 by 11 inches. Width of margins shall be not less than one inch. The impression shall be on only one side of the papers, unless printed, and shall be double spaced, except that quotations in excess of five typewritten lines shall be single spaced and indented. Mimeographed, multigraphed, photoduplicated, or the like copies will be accepted as typewritten, provided all copies are clear and permanently legible. In accordance with the State Solid Waste Management Plan, all filings should be submitted on recyclable paper, primarily regular weight white office paper. Applicants should avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Although not required by statute, applicants are also requested to file electronic copies of all documentation filed with the Council.
- D. Every original shall be signed by the applicant or by one or more attorneys in their individual names on behalf of the applicant. All applications shall be filed at the office of the Council, 10 Franklin Square, New Britain, Connecticut 06051. Service of all documents and other papers filed as applications, briefs, and exhibits, but not limited to those categories, shall be by personal delivery or by first class mail to the Council and all parties and intervenors to the proceeding, unless service has been waived.
- E. Any exhibits, sworn written testimony, data, models, illustrations, and all other materials that the applicant deems necessary or desirable to support the granting of the application shall be attached to the application. In addition, annexed materials shall include such exhibits, sworn written testimony, and other data that any statute or regulations may require. The applicant may request administrative notice of and refer in the application to portions of other Council docket records and generic hearings or statements prepared by the Council as a result of generic hearings. All documents, including but not limited to maps, shall include effective dates, revision dates, or dates of adoption. If no such dates are available

the document shall include the date the document was obtained. If a map includes a key table(s), a matching source list/table, appropriately organized, shall also be included; if a map includes a source list/table, a matching key table shall also be included.

- F. Applicants may present material in a sequence and format most appropriate for the particular proposal. To allow timely Council review, include with the application a copy of this form with page references for each item required in Section VI below.

II. Application Filing Fees (Conn. Gen. Stat. § 16-50l (a); Regs., Conn. State Agencies § 16-50v-1a)

Conn. Gen. Stat § 16-50l (a) limits the initial filing fee to not more than \$25,000.00. This section also mandates an additional municipal participation fee of \$25,000.00, to be deposited in the account established in accordance with Conn. Gen. Stat. § 16-50bb. The filing fee for an application is determined by the following schedule:

<u>Estimated Construction Cost</u>		<u>Fee</u>
Up to	\$5,000,000	0.05% or \$1,000.00, whichever is greater;
Above	\$5,000,000	0.1% or \$25,000.00, whichever is less.

All application fees shall be paid to the Council at the time an application is filed with the Council. Additional assessments may be made for expenses in excess of the filing fee. Fees in excess of the Council's actual costs will be refunded to the applicant.

III. Proof of Service (Conn. Gen. Stat. § 16-50l (b))

Each application shall be accompanied by proof of service of such application on:

- A. The chief elected official, the zoning commission, planning commission, the planning and zoning commissions, and the conservation and wetlands commissions of the site municipality and any adjoining municipality having a boundary not more than 2500 feet from the facility;
- B. The regional planning agency that encompasses the route municipalities;
- C. The State Attorney General;
- D. Each member of the Legislature in whose district the facility is proposed;
- E. Any federal agency which has jurisdiction over the proposed facility; and

- F. The state departments of environmental protection, public health, public utility control, economic and community development, and transportation; the council on environmental quality; and the office of policy and management.

IV. Public Notice (Conn. Gen. Stat. § 16-50l (b))

Notice of the application shall be published at least twice prior to the filing of the application in a newspaper having general circulation in the site municipality or municipalities. The notice shall state the name of the applicant, the date of filing, and a summary of the application. The notice must be published in not less than ten point type.

V. Notice in Utility Bills (Conn. Gen. Stat. § 16-50l (b))

For electric transmission facilities, notice shall also be provided to each electric company customer in the municipality where the facility is proposed on a separate enclosure with each customer's monthly bill for one or more months, not earlier than 60 days prior to filing the application with the Council, but not later than the date the application is filed with the Council. Such notice shall include the following:

- A. A brief description of the project including:
 - 1. Location relative to the affected municipality, and
 - 2. Location relative to adjacent streets.
- B. A brief technical description of the project including:
 - 1. Proposed length;
 - 2. Proposed voltage; and
 - 3. Type and range of heights of support structures or underground configurations.
- C. The reason for the project.
- D. Address and a toll-free telephone number of the applicant by which additional information about the project can be obtained.
- E. A statement in print no smaller than twenty-four point type size stating, "NOTICE OF PROPOSED CONSTRUCTION OF A HIGH VOLTAGE ELECTRIC TRANSMISSION LINE."

VI. Contents of Application (Conn. Gen. Stat. § 16-50l (a) (1))

An application for a Certificate for the construction of a transmission line facility should include or be accompanied by the following:

- A. A brief description of the proposed facility, including location relative to affected municipalities and location relative to adjacent streets.
- B. A statement of the purpose for which the application is being made.
- C. A statement describing the statutory authority for such application.
- D. The exact legal name of each person seeking the authorization or relief and the address or principal place of business of each such person. If any applicant is a corporation, trust association, or other organized group, it shall also give the state under the laws of which it was created or organized.
- E. The name, title, address, and telephone number of the attorney or other person to whom correspondence or communications in regard to the application are to be addressed. Notice, orders, and other papers may be served upon the person so named, and such service shall be deemed to be service to the applicant.
- F. A description of the proposed facility including:
 - 1. Itemized estimated costs;
 - 2. Conductor sizes and specifications;
 - 3. Overhead tower design, appearance, and heights, if any;
 - 4. Length of line;
 - 5. Terminal points;
 - 6. Initial and design voltages and capacities;
 - 7. Rights-of-way and access way acquisition;
 - 8. Substation connections;
 - 9. Service area; and
 - 10. For an electric transmission line, a description of the life-cycle costs of the proposed transmission line and alternative facilities, including overhead and underground lines, including all capital and operating costs, and other associated effects that can be calculated for development and operation of the specified transmission line and alternative lines over their expected operational lives.
- G. A statement and full explanation of why the proposed facility is needed and how the facility would conform to a long-range plan for expansion of utility service in the state and interconnected utility systems that would serve the public need for adequate, reliable, and economic service, including:
 - 1. A description and documentation of the existing system and its limitations;

2. Justification for the proposed in-service date;
 3. The estimated length of time the existing system is judged to be adequate with and without the proposed facility;
 4. Identification of system alternatives with the advantages and disadvantages of each; and
 5. If applicable, identification of the facility in the forecast of loads and resources pursuant to General Statutes § 16-50r.
- H. A proposed route map at a scale no smaller than one inch = 2,000 feet or a USGS topographic map and aerial photos of suitable scale showing the rights-of-way and the proximity of the following:
1. Settled residential areas;
 2. Public and Private schools, licensed daycare centers, licensed youth camps and public playgrounds;
 3. Hospitals;
 4. Group homes;
 5. Forests and parks
 6. Recreational areas;
 7. Scenic areas;
 8. Historic areas;
 9. Areas of archaeological interest;
 10. Areas regulated under the Inland Wetlands and Watercourses Act and Coastal Zone Management Act;
 11. Areas regulated under the Tidal Wetlands Act;
 12. Public water supplies;
 13. Hunting or wildlife management areas; and
 14. Existing transmission lines within one mile of the route.
- I. A justification for adoption of the route selected including a comparison with alternative routes which are environmentally, technically, and economically practicable. For electric transmission lines, provide a justification of overhead portions, if any, including comparative cost studies and a comparative analysis of effects described in Conn. Gen. Stat. § 16-50l (a)(1)(A) and section K below for undergrounding. Include enough information for a complete comparison between the proposed route and any alternative route contemplated.
- J. Safety and reliability information, including:
1. Provisions for emergency operations and shutdowns; and
 2. Fire suppression technology.

- K. A description of the effect that the proposed facility would have on the environment, ecology, and scenic, historic, and recreational values, including effects on:
1. Public health and safety;
 2. Local, state, and federal land use plans;
 3. Existing and future development;
 4. Road and waterway crossings;
 5. Wetland crossings;
 6. Wildlife and vegetation, including rare and endangered species, and species of special concern, with documentation by the Department of Environmental Protection Natural Diversity Data Base;
 7. Water supply areas;
 8. Archaeological and historic resources, with documentation by the State Historic Preservation Officer; and
 9. Other environmental concerns identified by the applicant, the Council, or any public agency.
- L. A statement explaining mitigation measures for the proposed facility including:
1. Construction techniques designed specifically to minimize adverse effects on natural areas and sensitive areas;
 2. Special routing or design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas;
 3. Justification for maintaining retired or unused facilities on the rights-of-way if removal is not planned;
 4. Methods to prevent and discourage unauthorized use of the rights-of-way;
 5. Establishment of vegetation proposed near residential, recreational, and scenic areas and at road crossings, waterways, ridgelines, and areas where the line would be exposed to view; and
 6. Methods for preservation of vegetation for wildlife habitat and screening.
- M. Justification that the location of the proposed facility would not pose an undue safety or health hazard to persons or property along the area traversed by the proposed facility including:
1. Measurements of existing electric and magnetic fields (EMF) at the boundaries of adjacent schools, daycare facilities, playgrounds, and hospitals (and any other facilities described in Conn. Gen. Stat. § 16-50*l*), with extrapolated calculations of exposure levels during expected normal and peak normal line loading;
 2. Calculations of expected EMF levels at the above listed locations that would occur during normal and peak normal operation of the transmission line; and

3. A statement describing consistency with the Council's "Best Management Practices for Electric and Magnetic Fields", as amended.
- N. A schedule of the proposed program for right-of-way or property acquisition, construction, rehabilitation, testing, and operation.
 - O. Identification of each federal, state, regional, district, and municipal agency with which proposed route reviews have been undertaken or will be undertaken, a copy of each written agency position on such route, and a schedule for obtaining approvals not yet received.
 - P. Bulk filing of municipal zoning, planning, planning and zoning, conservation, and inland wetland regulations and by-laws.
 - Q. Such information any department or agency of the state exercising environmental controls may, by regulation, require.
 - R. Such information the applicant may consider relevant.

Please note that all documents, including but not limited to maps, must be dated. If the document date is unavailable, the date the document was obtained shall be provided. If a map includes a key table(s), a matching source list/table, appropriately organized, shall also be included; if a map includes a source list/table, a matching key table shall also be included.

VII. Procedures

- A. The Council will review and may reject the application within 30 days if it fails to comply with specific data or exhibit requirements or if the applicant fails to promptly correct deficiencies. (Regs., Conn. State Agencies §§ 16-50l-4 through 16-50l-5)
- B. The Council and any party or intervenor to the proceeding may file exhibits and interrogatories requesting supplemental or explanatory materials. All filings will be subject to cross-examination and the Council's discretion for admission into the record. (General Statutes § 16-50o)
- C. A public hearing must be held in the county within which the proposed facility is to be located, or in whichever county the Council deems appropriate for inter-county facilities, with one session held after 6:30 p.m. for the convenience of the public. The Council's record must remain open for 30 days after the close of the hearing. (General Statutes § 16-50m)

- D. The Council must render a decision not later than twelve months after the deadline for filing an application following the request-for-proposal process for a facility described in subdivision (1) or (2) of subsection (a) of Conn. Gen. Stat. § 16-50i or subdivision (4) of said subsection (a) if the application was incorporated in an application concerning a facility described in subdivision (1) of said subsection (a). (General Statutes § 16-50p)